

**COMBINED DECLARATION and POWER OF ATTORNEY**
(Utility, Design, National Stage of PCT)

I, a below named inventor, I hereby declare that:

COPY OF PAPERS
ORIGINALLY FILED**TYPE OF DECLARATION**

This declaration is of the following type:

(Check one applicable item below)

- ☒ utility patent application
☐ design patent application
☐ national stage of PCT patent application

INVENTORSHIP IDENTIFICATION

My residence, post office address and citizenship are as stated below, next to my name. I believe that I am the original, first and sole inventor (*if only one name is listed below*) or an original, first and joint inventor (*if plural names are listed below*) of the subject matter that is claimed, and for which a patent is sought on the invention entitled:

TITLE OF INVENTION²

METHOD AND APPARATUS FOR IN-SERVICE DYNAMIC
ALLOCATION OF BANDWIDTH IN A TDM NETWORK

SPECIFICATION IDENTIFICATION

the specification of which:

(complete (a), (b), or (c))

- (a) ☐ is attached hereto.
- (b) ☒ was previously filed 28 December 2001, as United States Patent Application Serial No. 10/034,235.
- (c) ☐ was described and claimed in PCT International Application No. _____ filed on _____ and as amended under PCT Article § 19 on _____ (if any).

ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified application, including the claim(s), as amended by any amendment specifically referred to in the declaration, referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in 37, Code of Federal Regulations, § 1.56.

FOREIGN PRIORITY CLAIM

(35 USC § 119(a)-(d))

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

(complete (d) or (e))³

(d) ☒ no such applications have been filed.

(e) ☐ such applications have been filed as follows.

Note: Where item (c) is entered above and the International Application which designated the U.S. itself claimed priority check item (e), enter the details below, and make the priority claim.

PRIOR FOREIGN/PCT APPLICATION(S) FILED WITHIN 12 MONTHS ⁴ (6 MONTHS FOR DESIGN) PRIOR TO THIS APPLICATION AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. § 119(a)-(d)

COUNTRY (OR INDICATE IF PCT)	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER § 119 or § 365
			<input type="checkbox"/> YES NO <input type="checkbox"/>
			<input type="checkbox"/> YES NO <input type="checkbox"/>
			<input type="checkbox"/> YES NO <input type="checkbox"/>
			<input type="checkbox"/> YES NO <input type="checkbox"/>

**U.S. PRIORITY CLAIM
(35 USC § 120)**

I hereby claim the benefit under 35 USC § 120 of any United States application(s) or § 365(c) of any PCT international application designating the United States of America listed below, if any, and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of title 35 USC § 112, I acknowledge duty to disclose information which is material to patentability as defined in title 37, Code of Federal Regulations § 1.56 which became available between the filing date of the prior application and the national or PCT international application filing date of this application.

UNITED STATES or PCT PARENT APPLICATION NO.	PARENT FILING DATE (month, day, year)	PARENT PATENT NO. (if applicable)

POWER OF ATTORNEY

We hereby appoint as our attorneys and/or patent agents LYNN S. CASSAN, Registration No. 3,378; P. SCOTT MACLEAN, Registration No. 39,543, and THOMAS ADAMS, Registration No. 31,078, of RIDOUT & MAYBEE, 150 Metcalfe Street, 19th Floor, Ottawa, Canada K2P 1P1; and all attorneys and/or patent agents listed under the following Customer Number with full power to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:



** Customer Number Label **

All correspondence and telephonic communications should be directed to:

DANA L. TANGREN
WORKMAN, NYDEGGER & SEELEY
1000 Eagle Gate Tower
60 East South Temple
Salt Lake City, Utah 84111
Telephone (801) 533-9800
Facsimile (801) 328-1707

DECLARATION

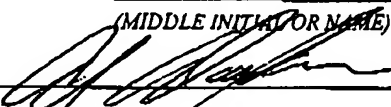
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE(S)⁵

NOTE: Carefully indicate the family (or last) name, as it should appear on the filing receipt and all other documents.

Full name of sole or first inventor

<u>Allan</u>	<u>Dennis</u>	<u>Dufour</u>
(GIVEN NAME)	(MIDDLE INITIAL OR NAME)	FAMILY (OR LAST NAME)

Inventor's signature 

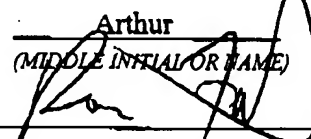
Date Jan 8th 2002, Country of Citizenship Canada

Residence 85 Prud'Homme, Hull, Quebec, Canada J8Y 5V6

Post Office Address (Same as above)

Full name of second joint inventor, if any

<u>Ronald</u>	<u>Arthur</u>	<u>Frank</u>
(GIVEN NAME)	(MIDDLE INITIAL OR NAME)	FAMILY (OR LAST NAME)

Inventor's signature 

Date Jan 8/ 2002, Country of Citizenship Canadian

Residence 715 Hunterston Rd. N.W., Calgary, Alberta, Canada T2K 4M5

Post Office Address (Same as above)